

#3

Date of Meeting: July 12, 2005

**BOARD OF SUPERVISORS
PUBLIC HEARING**

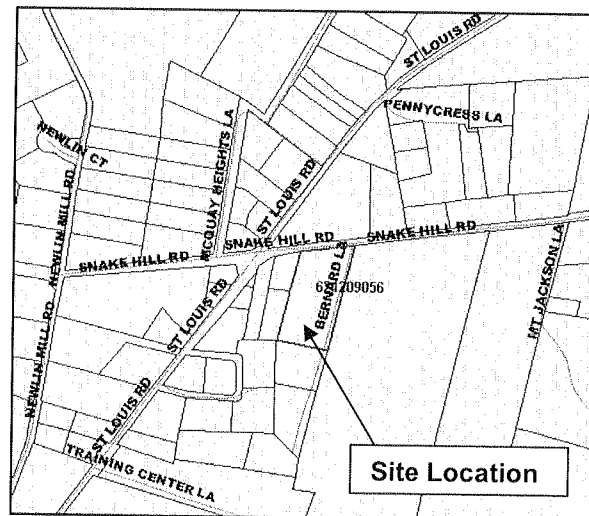
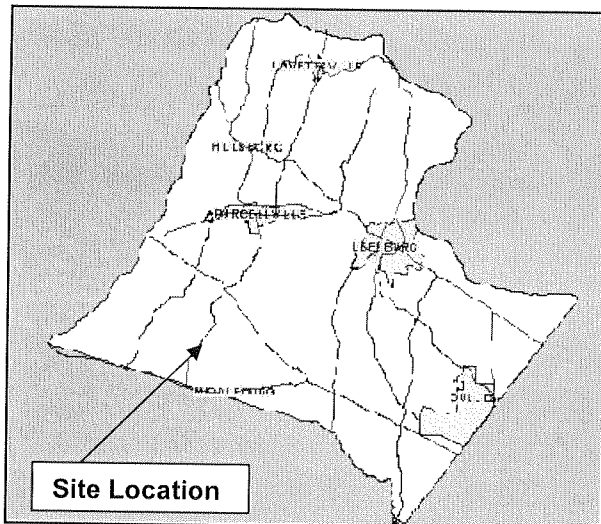
SUBJECT: SBEX 2005-0002, Loudoun Habitat for Humanity

ELECTION DISTRICT: Blue Ridge

CRITICAL ACTION DATE: July 12, 2005

RECOMMENDATIONS: Staff cannot support approval of this application.

STAFF CONTACT: Trish Baker



Executive Summary:

Loudoun Habitat for Humanity of Leesburg, Virginia has submitted an application for a subdivision exception under the provisions of Section 1243.13 Exception Procedures of the Loudoun County Land Subdivision and Development Ordinance (LSDO). The exception would permit the creation of five (5) lots to be served by a 30' foot private access easement in lieu of a public street. The maintenance of the private drive would be addressed by deed

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and a Privately Maintained Roads Agreement during the subdivision review process. The future maintenance of the private drive may create a hardship for the future residents. The property is zoned CR-3 (Countryside Residential-3) and Village Conservation Overlay District (VCOD) under the provisions of the Revised 1993 Loudoun County Zoning Ordinance, and contains approximately 2.47 acres (107,593 sq. ft.). The property is located within the Village of Saint Louis, on the east side of Saint Louis Road (Route 611), on the west side of Bernard Lane (private drive) and on the south side of Snake Hill Road (Route 744) in the Blue Ridge Election District.

APPLICANT INFORMATION:

Applicant: Loudoun Habitat for Humanity
Mr. Bill Fox
P.O. Box 28
Leesburg, VA 20178
(703) 777-7884

Representative: Burgess & Niple
Mr. Jim McCormack
4160 Pleasant Valley Rd.
Chantilly, VA 20151-1276

Location: The property is located within the Village of Saint Louis, on the east side of Saint Louis Road (Route 611), on the west side of Bernard Lane (private drive) and on the south side of Snake Hill Road (Route 744).

Tax Map/Parcel #: LCTM 72/22 MCPI # 621-20-9056

Zoning: CR-3 (Countryside Residential-3) and
Village Conservation Overlay District (VCOD)

Acreage of Site: 2.47 (107,593 sq. ft.)

Proposal: Subdivision Exception to permit the creation of five (5) lots to be served by a 30 foot private access easement in lieu of a public street.

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Surrounding Land Uses/Zoning:

North	CR-3	Residential
South	CR-1	Residential
East	CR-3	Residential/Elementary School
West	CR-3	Residential

Election District: Blue Ridge

Background:

Loudoun Habitat for Humanity of Leesburg, Virginia has submitted an application for a subdivision exception under the provisions of Section 1243.13 Exception Procedures of the Loudoun County Land Subdivision and Development Ordinance (LSDO). Under this provision the application is reviewed by Staff and sent directly to the Board of Supervisors for a public hearing without being reviewed by the Planning Commission. An exception is requested to LSDO Sections 1245.01(2), which requires all lots to front on an existing or recorded public street, and 1245.02, which restricts the use of private access easements in lieu of frontage on public streets. The exception would permit the creation of five (5) lots to be served by a 30 foot wide private access easement in lieu of a public street.

Recommendation:

Based upon the finding outlined in attachment 1, Staff recommends denial of Subdivision Exception SBEX 2005-0002.

Fiscal Impact:

Since construction, maintenance and repair of the private street would be the responsibility of the property owner and/or the future homeowners, there would appear to be no fiscal impact to Loudoun County other than the normal capital cost impacts associated with adding 5 new homes (See Loudoun County Public Schools referral attached).

Discussion:

The applicant's Statement of Justification indicates their desire to subdivide the subject parcel into five (5) parcels for single family homes and access the subject parcels via an existing easement which will be widened. The applicant's intent is to build affordable dwellings on all five proposed parcels.

The existing parcel fronts on Snake Hill Road (Route 744). There is currently an existing 20' private access easement (Bernard Lane) that straddles the eastern boundary of the property and extends from Snake Hill Road to the southern end of the property and is currently serving three (3) parcels of record. The private road is within a 20' easement of which 10' is on the adjacent Banneker Elementary School property. The proposed private access easement would continue to provide access to the existing three lots to the south. In order to serve the additional lots and comply with the requirements of the Facilities Standards Manual (FSM), the width of the easement will need to be expanded to a minimum of 30 feet. The applicant proposes increasing the easement width by expanding the current width on both their property and the Banneker School property by 5 feet. However, if Loudoun County Public Schools does not consent to such expansion on the school property, the entire easement expansion would be placed on the subject property. Presently the school site does not use Bernard Lane as its main access. It is used on occasion to access a maintenance building on the school site.

As stated in the applicant's Statement of Justification, the applicant is concerned that the costs associated with the construction of a public road would add to the cost of the development and the goal of providing an affordable product. Private roads will allow for the optimal number of affordable dwelling units on the property at the minimum cost. The applicant also states the utilization of a modified and upgraded version of the existing access to the lots would be in keeping with the existing site conditions and with the character of the village of St. Louis. The visual impact of curb and gutter on a public street is not consistent with the visual character of the existing St. Louis village. The maintenance of a private road would retain the visual compatibility with the property's current surroundings. Use of a private road would minimize both new impervious area on the site and impact on stormwater runoff from the site.

Staff's concern is the lack of evidence to support the Subdivision Exception criteria outlined in LSDO, Section 1243.13 *"The Board of Supervisors may grant such an exception upon evidence presented by the subdivider that an exception is warranted due to an unusual situation or that strict adherence to general requirements would result in substantial injustice or hardship."* The applicant's request is based on affordability and visual impact and consistency with the existing St. Louis village and does not specifically address Section 1243.12(1). While affordability is a goal and policy supported by County documents, staff is uncertain as to whether the facilitation of property ownership is considered basis for determining that a substantial injustice or hardship exists. Staff also notes that the responsibility for maintaining the private road that would serve the proposed affordable units would be the responsibility of the new homeowners, a cost which would not be necessary if the roads were built to Virginia Department of Transportation standards.

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The applicant has also submitted a Variance (VARI-2005-0002) request from the requirement of providing sidewalks in the Village Conservation Overlay District in accordance with Section 4-2104(B)(3) of the Revised 1993 Zoning Ordinance. The Variance is pending and has not been scheduled for the Board of Zoning Appeals Meeting. The Variance submitted was missing information and included incomplete items that were needed for complete and further evaluation of the application.

This is the second Subdivision Exception submitted by the Loudoun Habitat for Humanity in the St. Louis Village. The previous Board of Supervisors approved SBEX 2001-0001 on December 4, 2001. The Subdivision Exception was granted to permit the creation of an additional two (2) lots to be served by an existing 30 foot wide private access easement (served 4 parcels of record) in lieu of a public street in order to construct two (2) affordable dwelling units.

Referral Agency Comments and Staff Analysis:

Community Planning

Staff has reviewed this application for conformance with the Revised General Plan and the Revised Countywide Transportation Plan. Staff finds the application is consistent with the policies in the Revised General Plan that call for compatible development patterns in and around existing rural villages and for the construction of diverse and affordable housing.

Zoning Ordinance Compliance:

Staff has reviewed the application for conformance with the Revised 1993 Zoning Ordinance and Land Subdivision and Development Ordinance (LSDO). The Loudoun Habitat for Humanity property is zoned CR-3, Countryside Residential 3, which allows for one lot per 15,000 square feet (.34 acres) for lots served by Public Sewer only. The property is also located in the Village Conservation Overlay District. The proposed lots meet the minimum zoning requirements for lot size, width, length and setback.

Office of Transportation Services:

The Office of Transportation Services (OTS) concludes there are no OTS transportation issues which would preclude approval of this application.

Loudoun County Health Department:

The Health Department has approved SBEX 2005-0002 Loudoun Habitat for Humanity. The applicant will need to drill the proposed wells and test prior to preliminary subdivision plat submittal.

Virginia Dept. of Transportation:

Virginia Dept. of Transportation has requested the sight distance at the proposed entrance be verified. The applicant has submitted a sight distance exhibit for VDOT's review. VDOT has also stated the entrance to the development should conform to VDOT's standards which the applicant is aware of. The sight distance and entrance conformance could be reviewed with the submission of future Construction Plans and Profiles.

Other Referral Comments:

Referrals have been received from: Loudoun County Sanitation Authority, the Office of Mapping and Geographic Information and the Loudoun County School Board. None of the referrals provided outstanding issues (see attachments).

Criteria for Subdivision Exceptions:

Section 1243.13(1) and (2) of the Land Subdivision and Development Ordinance (LSDO) establishes three criteria for evaluating subdivision exception requests. A Subdivision Exception can be granted if all criteria have been met.

- Section 1243.13(1) of the LSDO states:

"Upon application to the Board of Supervisors, a subdivider may request an exception to the substantive regulations contained in the Facilities Standards Manual or Chapter 1245 of these Subdivision Regulations. The Board of Supervisors may grant such an exception upon evidence presented by the subdivider that an exception is warranted due to an unusual situation or that strict adherence to general requirements would result in substantial injustice or hardship."

- Section 1243.13 (2)(a) of the LSDO states:

"No exception shall be granted by the Board of Supervisors that it finds would: Be in conflict with the governing Comprehensive Plan (Revised General Plan;"

- Section 1243.13 (2)(b) of the LSDO states:

"No exception shall be granted by the Board of Supervisors that it finds would: Be in conflict with applicable requirements of the Zoning Ordinance."

An analysis of the criteria or standards follows:

Standard Conformance with LSDO, Section 1243.13(1), showing evidence of hardship:

Analysis The applicant's Statement of Justification requests the exception to promote affordable housing and consistency with the existing St. Louis Village. Staff cannot clearly determine that the circumstances described by the applicant present evidence of a hardship or unusual situation. The fact that the requirements of the LSDO present an impediment to the facilitation of property ownership may not necessarily constitute an unusual situation or be deemed to result in substantial injustice or hardship.

Standard Conformance with governing Comprehensive Plan (Revised General Plan):

Analysis The Revised General Plan generally supports the intention of the applicant to create affordable housing. Therefore the request is in general conformance governing Comprehensive Plan.

Standard Conformance with applicable requirements of the Zoning Ordinance.

Analysis The proposal meets the Revised 1993 Zoning Ordinance's requirements for lot area, lot width and maximum length/width ratio. The proposed application meets all zoning requirements except the requirement for public road frontage.

Summary:

Based upon review, staff has determined that 2 of the 3 criteria for subdivision exception have been met. It is not clear to staff that the applicant has presented evidence of an unusual situation or substantial injustice or hardship. However, if the Board determines that the applicant has presented evidence of an unusual situation or substantial injustice or hardship, staff has prepared an alternate motion for approval.

Suggested Motions:

- 1a. I move to suspend the rules to take action on this application.
And
- 1b. I move that the Board of Supervisors deny SBEX 2005-0002, Loudoun Habitat for Humanity, based on the finding on attachment 1.

Or
- 1c. I move the Board of Supervisors approve SBEX 2005-0002, Loudoun Habitat for Humanity subject to the findings on attachment 2.

Or
2. I move that the Board of Supervisors place SBEX 2005-0002, Loudoun Habitat for Humanity subject to the finding on attachment 1, on the September 6, 2005 Board of Supervisors Business Meeting agenda for action.

Or
3. I move that the Board of Supervisors refer SBEX 2005-0002, Loudoun Habitat for Humanity, to the July 25, 2005 Transportation Land Use Committee meeting for future discussion.

Or
4. I move an alternate motion.

Attachments:

1. Findings (1)
2. Findings (2)
3. Applicant's Statement of Justification
4. Department of Planning Comment letter
5. Office of Transportation Services Comment letter.
6. Health Department Comment letter
7. VDOT Comment letter
8. Loudoun County Sanitation Comment letter
9. Office of Mapping and Geographic Information Comment letter
10. Loudoun County School Board Comment letter
11. Subdivision Exception Plat

STAFF CONTACT(S):

Trish Baker, Planner, Dept. of Building and Development

SBEX 2005-0002 LOUDOUN HABITAT FOR HUMANITY

Finding:

1. The application fails to meet the relevant criteria contained within Section 1243.13(1) of the Land Subdivision and Development Ordinance. The applicant has not provided sufficient evidence that an unusual situation, substantial injustice or hardship exists.

SBEX 2005-0002 LOUDOUN HABITAT FOR HUMANITY

Findings:

1. This application is consistent with the policies in the Revised General Plan that call for compatible development patterns in and around existing rural villages and for the construction of diverse and affordable housing.
2. This application is in conformance with the Revised 1993 Zoning Ordinance. The proposed lots meet the minimum zoning requirements for lot size, width, length and setback.

REQUEST FOR AN
EXCEPTION TO THE PROVISIONS OF
THE LOUDOUN COUNTY LAND SUBDIVISION
AND DEVELOPMENT ORDINANCE
TO PERMIT THE SUBDIVISION OF A PROPERTY
TO CREATE SINGLE-FAMILY LOTS
WITHOUT FRONTAGE ON A PUBLIC STREET

APR 01 2005

A. The Applicant:

Loudoun Habitat for Humanity
P. O. Box 28
Leesburg, Virginia 20178

The applicant is a Virginia non-profit organization dedicated to the mission of providing affordable housing for low-income residents of Loudoun County. To perform this mission to the maximum advantage of the County and its residents, the organization must seek to provide the maximum number of housing units achievable within the limited scope of the resources available to it.

B. The Property:

Property Location: St. Louis, Virginia
Pin Number: 621-20-9056
Zone: CR-3
Area: 2.34 acres

C. The Requested Exception:

An Exception to certain regulations set forth in Chapter 1245 of the Land Subdivision and Development Ordinance (the "Ordinance") is requested in conformance with Section 1243.13, Exception Procedures, of the Ordinance. The specific requirements for which this Exception is requested are as follows:

1245.01 (2): "Except where otherwise specifically provided for in these regulations or in the Zoning Ordinance, all lots shall front on an existing or recorded public street dedicated by the subdivision plat and maintained or designed and built to be maintained by the Virginia Department of Transportation."

The Exception to this provision would permit the subject property, which is zoned to the CR-3 District, to be subdivided into five lots, four of which would not have any frontage on an existing public street or on any right-of-way to be dedicated or improved for public street purposes.

1245.02: "Private Access Easement Roads. Private access easement roads designed and constructed in accordance with the Facilities Standards Manual may serve as frontage in lieu of public street for the following types of development lots, up to a maximum of seven (7) lots:"

- (1) "Family Subdivisions."
- (2) "Structures contained in a Historic Site (HS) District."
- (3) "Cluster subdivisions in the A-10, Low Density Rural District."
- (4) "Low Density 25 Acres Residential Developments."
- (5) "Subdivisions in the A-25 and A-10 Zoning Districts."
- (6) "Subdivisions utilizing the Rural Hamlet Option or Countryside Hamlet Option."
- (7) "Developments in accordance with the provisions of the Rural Village Conservancy in the PD-RV District."
- (8) "Lots created for use by LCSA, VDOT, municipal utilities, public utilities as defined in section 56-232 of the Virginia State Code, or public service corporation as defined in Section 56-1 of the Virginia State Code and meets the requirements of Section 5-621."

The Exception to this provision would permit the use of a private access easement road to serve as frontage, in lieu of a public street, for four of the five lots to be established on the subject property, which is zoned to the CR-3 District.

If the Exception to permit the use of a private access easement road for frontage and access for new lots to be created on the property is granted, it is also requested that the requirements pertaining to the design and construction of Category C, Road Type C2, private access easement roads, as set forth in Section 4.330.D – Table III of the Facilities Standards Manual be varied from. The variance would allow the private roadway to have a gravel surface in lieu of a paved surface over a gravel base.

4. The Justification:

The property that is the subject of this request comprises 2.34 acres located on the south side of Snake Hill Road (State Route 744), approximately 500 feet west of St. Louis Road, in St. Louis. The property has approximately 233 feet of frontage on Snake Hill Road, and could be subdivided in full conformance with the Ordinance and in compliance with the regulations of the CR-3 Zoning District for

up to three lots, each of which would have the required 70 feet of frontage on a public street, Snake Hill Road. Because of the configuration of the property, with its narrowest side fronting on Snake Hill Road, and given its overall size relative to the lot size requirements for the CR-3 District, the property has the potential to be divided into more than 3 lots. However, to do so and also meet the requirement of the Ordinance that each lot have frontage on an existing or proposed public street, it would be necessary to construct a new public street extending into the property perpendicular to Snake Hill. To meet State standards for acceptance as a public street, this new street would have to be within a right-of-way dedicated for public street purposes having a minimum width of forty feet, and the street would have to be constructed to State standards. In this case, because of the relatively flat grades that occur on the property, in order to ensure proper drainage of storm runoff within the street area, the street would have to be a curb-and-gutter section, since the drainage ditches associated with a non-curb-and-gutter section roadway would not have sufficient slope to comply with State standards. It is believed that this street would be only the second street within St. Louis or its surroundings that would have curb and gutter. The width of the street improvements, from curb to curb, would be 28 feet, and this street would thus have a significantly wider pavement than the existing 20.5-foot width of Snake Hill Road, the collector road to which it would connect. The street's pavement would also be wider than Route 611, which is the primary road providing access to St. Louis, and which is only 23 feet wide. The street would also have to terminate in a paved turnaround, or cul-de-sac. The creation of all of this pavement, or impervious surface, associated with this new street would result in an inordinate increase in the rate of storm runoff from the property, necessitating the creation of a storm water management facility dedicated to the purpose of reducing the increased rate of runoff resulting primarily from the street improvements. Further, because the street and the storm water pond would occupy a fair portion of the property, the total number of lots that could be accommodated on the remainder would be no more than four lots, meaning that the construction of the street and the pond would only result in a net increase of one lot over the number that could be established in the absence of the new public street.

The combined cost of the street improvements and the storm water management ponds is estimated to be approximately \$170,000.00. Given that this investment would only result in one additional lot, a cost-benefit analysis would raise serious questions as to the viability of pursuing this option, especially for a non-profit organization with the mission to provide the maximum number of affordable housing units at a minimum cost to its partner families. These units are committed to be designated as County affordable dwelling units for a period of at least twenty years.

There is currently a private access road (Bernard Lane) that straddles the easterly boundary of the property and extends from Snake Hill Road to the southerly end of the property and beyond, providing access to three lots located to the south,

two of which are currently developed as single-family residential lots. This private road occurs within an easement that overlaps onto the adjoining property, owned by Loudoun County, which is the site of the Banneker Elementary School. In conjunction with this Exception request, it is proposed that a private access easement road at this location continue to provide access to the three lots to the south, but also be permitted to serve as frontage for, and access to, new single-family lots being created on the subject property. The existing easement would be supplemented on the applicant's property side to encompass a total width of thirty feet and the road within the easement would be upgraded in width, but would continue to have a gravel surface, all as shown on the enclosed plan.

This would allow the division of the property into five single family lots, four of which would achieve vehicular access to Snake Hill Road by way of the private access easement road and would have frontage on the access road. The upgraded access road would also continue to provide access for the three lots to the south, and would therefore provide access for a total of seven lots, which is consistent with the maximum number of lots permitted to be served by a Category C, Type C2, private roadway in those circumstances where lots fronting on such roads are permitted by right. The fifth lot would be accessed directly from Snake Hill Road.

The utilization of a modified and upgraded version of the existing access road for providing frontage and access to lots on this property would be in keeping with the existing site conditions and with the character of the village of St. Louis. It would allow the establishment of the optimal number of affordable dwelling units on the property at the minimum cost, and would permit one more dwelling unit than could be achieved under a public street frontage scenario. It would also allow a minimization of new impervious area on the site and a consequent minimal impact on storm runoff from the site.

The proposed exceptions would not be in conflict with the Comprehensive Plan or applicable requirements of the Zoning Ordinance. The applicable policies of the Comprehensive Plan are set forth in Chapter 10, Existing Villages. Among the Existing Village Policies stated in the plan are the following:

- The County will encourage the retention and reinforcement of the cultural and visual identity of individual villages.
- New development in and around Existing Villages must be designed to be visually compatible in terms of street pattern, street design and building footprint and setbacks.

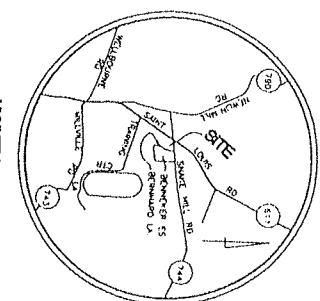
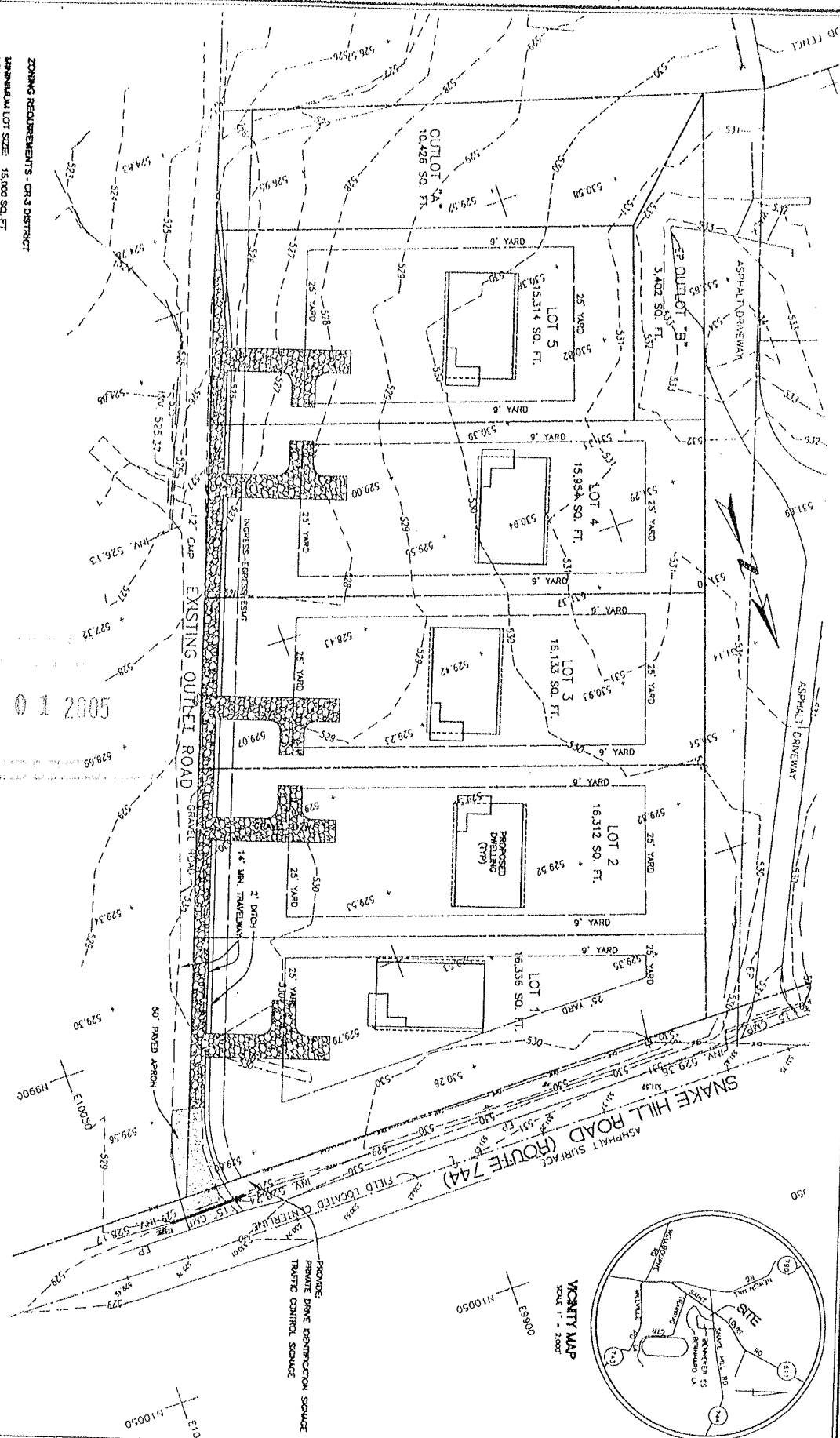
The visual impact of a curb and gutter street is not at all consistent with the visual character of the existing St. Louis village, where virtually no curb and gutter roads currently exist. Rather, the maintenance of a low-key, private access road providing access from the existing and proposed lots to Snake Hill Road would retain the visual compatibility with the property's surroundings that currently

exists. Neither the Comprehensive Plan nor the Zoning Ordinance contain any stipulations against the use of private access easement roads in this instance, and the proposed division and development of the property would conform to all applicable requirements of the Zoning Ordinance.

ZONING REQUIREMENTS - CR3 DISTRICT
MINIMUM LOT SIZE: 15,000 SQ. FT.
MINIMUM LOT WIDTH: 60 FEET
FRONT YARD: 25 FEET
SIDE YARD: 8 FEET
REAR YARD: 25 FEET
LENGTH/WIDTH RATIO: 4:1 MAXIMUM

7. TABULATION
PIN NUMBER: 021-20-0056
ZONE: CR3
TOTAL AREA: 2.24 ACRES
NUMBER OF LOTS: 5 LOTS
DENSITY: 2.14 LOTS/ACRE

APR 01 2005



WCCITY MAP
SCALE 1" = 2000'

SCALE 1" = 20'

**PRIVATE DRIVE CONCEPT
SAINT LOUIS SITE
LOUDOUN COUNTY
HABITAT FOR HUMANITY**
BLUE RIDGE DISTRICT
LOUDOUN COUNTY, VIRGINIA

BURGESS & NIPLE
6180 PLEASANT VALLEY ROAD, CHANTILLY, VA 20151-1216
PH (703) 811-9630 FAX (703) 831-6041

APPLICANT: LOWDOWN HABITAT FOR HUMANITY
SUBJECT: BANNERKER SUBDIVISION

APR 01 2005

NOTE NUMBER

- (1) PUBLIC SEWER ROUTING AND ENGINEERING THEREOF WILL BE SUBMITTED WITH THE PRELIMINARY / RECORD SUBDIVISION APPLICATION
- (2) THE APPLICANT IS A VIRGINIA NOT-FOR-PROFIT CORPORATION AND AS SUCH THE PROPERTY IS EXEMPT FROM LOWDOWN COUNTY PROPERTY TAXES.
- (3) STORMWATER MANAGEMENT CALCULATIONS WILL BE SUBMITTED WITH THE PRELIMINARY / RECORD SUBDIVISION APPLICATION.

APR 01 2005

APPLICATION NAME: <u>LAURENCE, JAMES R. & WIFE, JANE M.</u>		
ADDRESS: <u>1000 E. 10TH AVE. SUITE 100, DENVER, CO 80202</u>		
REQUIREMENT (ACCEPTABLE)	YES	NO
Certificate of Payment of Real Estate Taxes (obtained from the Treasurer's Office)		SEE NOTE (2)
Completed Land Development Application form, with original signatures (no copies)	X	
Check (Please check date on all checks that are submitted)	X	
Applications for submission (CPAP, STPL, SBPL, SBRD)		N/A
(fold) and Plans must be rolled (STPL, CPAP & SPAM)	X	
Copy of all deeds	X	
Department, LCSA Certificates	X	
Application Meeting letter for SBPL's & STPL's	X	SEE NOTE (1)
PLAT/PLAN REQUIREMENTS		
Block, including: scale of drawings, name of development & section number(s)		
(licable) Name of firm preparing document	X	
on 24"x36" sheets; Plats on 18"x24" sheets	X	
map and parcel number references of the proposal site.	X	
of subject property and adjacent properties	X	
al conditions, proffers, and/or waivers granted for the subject property		X
on: County-assigned street names(s) & State route number(s); bearings & es of existing or proposed property lines; centerline & width of existing or ed streets, easements, or other public or private way; & location & ions of driveway entrances.	X	
ion separation between structures & dimensions of all setbacks for zoning, g & easements for existing or proposed parcels.	X	
of stories and total height of structures. <u>ONE STORY STRUCTURES</u>	X	
1(s) of existing & proposed structures, easements, utilities, waterways, s, floodplain (RSCOD), mountainside overlay, septic, well, archeological, & historic features & landmarks, Loud noise limits, jurisdiction boundaries, ns, county)	X	
phic map with existing and proposed contours.	X	
p	X	
oe plans		N/A
of units, FAR calculations, and square footage of structures.	X	N/A
calculations		N/A
ter management calculations		SEE NOTE (3)

December 11, 1996
April 23, 2003

County of Loudoun
Department of Planning

MEMORANDUM

DATE: May 17, 2005

TO: Trish Baker, Project Manager, Building and Development

FROM: Heidi Siebentritt, Community Planning

SUBJECT: **SBEX 2005-0002 Loudoun Habitat for Humanity Banneker Subdivision**

Background

The applicant requests approval of a subdivision exception for five lots for the construction of single family detached houses. The applicant, Loudoun Habitat for Humanity, proposes to construct affordable single family homes on the five buildable lots. The lots would be served by a private road and by private wells but the property would connect to the public sewer system in the village of St. Louis. Two "outlots" surrounding proposed Lot 5 are proposed for open space. The subject property is located within the CR-3 zoning district, east of St. Louis Road and south of Snake Hill Road within the Village Conservation Overlay District for St. Louis.

The application specifically requests exception to regulations set forth in Chapter 1245 of the Land Subdivision Ordinance (LSDO) regarding the use of private access easement roads for required road frontage. The subject proposal does not meet the criteria outlined in the LSDO for the use of private access easements.

Discussion

The Village of Saint Louis is governed by the policies in the Revised General Plan and the Revised Countywide Transportation Plan.

Existing Villages

The subject property is located within the village of St. Louis, a historically African American settlement that dates to the later part of the 19th century. Many of the descendants of the original village settlers reside in the village today. The architecture of the village is mostly comprised of late 19th century to mid twentieth

century dwellings. The structures are modest in size and are situated on small lots. The houses are predominately oriented to the roads and many are accessed by narrow gravel driveways. The homes in St. Louis are served by the public sewer system.

The Revised General Plan seeks to retain the character of the County's rural villages. To this end, the Plan states that new development in and around the existing villages should be designed to be visually compatible with the character of the village in terms of street pattern, street design, building footprint and setbacks (Revised General Plan, Chapter 10 -1, Policies 3 and 4). The proposal to construct modest homes on small lots is consistent with Plan policy. Although, most of the homes are oriented toward the road, the proposed orientation on a private grave drive is not out of character within the village setting.

Affordable Housing

The Revised General Plan makes note of the lack of affordable housing in the Washington Metropolitan Area. As a response, in 1993 the County developed an Affordable Dwelling Unit Ordinance that applies to new development in the County where 50 or more units are proposed (Revised General Plan 2-13 Text). Although this is not specific to the subject application, it is important to note that the County supports the construction of affordable housing.

The County seeks to create diversity in housing types, particularly in response to the needs of special populations. Because state and federal subsidies have diminished over the past years, Plan policy calls for the formation of public/private partnerships to address the need for affordable, accessible housing (Revised General Plan, 2-15, Policy 23).

The proposed construction of affordable single-family homes within the village of St. Louis is consistent with Plan policies.

Private Streets

The Revised Countywide Transportation Plan supports the use of private streets in limited circumstances and refers to the criteria listed in the LSDO (Revised Countywide Transportation Plan 3-18, Policy 1). The Plan further states that the purchasers of properties accessed by private streets should be notified by the developer that street maintenance costs are the homeowner's responsibility (Revised Countywide Transportation Plan 3-18, Policies 5 and 6).

The policies of the Revised Countywide Transportation Plan do not specifically address the use of private streets for road frontage for the proposed construction of affordable housing.

Conclusion

The subject application is consistent with the policies in the Revised General Plan that call for compatible development patterns in and around existing rural villages and for the construction of diverse and affordable housing. Staff does not have a specific recommendation regarding the subject application. Staff offers the above policy discussion for the Board of Supervisor's consideration.

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: June 20, 2005

TO: Trish Baker, Dept. of Building and Development

FROM: Arthur J. Smith, Senior Coordinator, Planning and Development

SUBJECT: SBEX-2005-0002 Loudoun Habitat for Humanity Banneker Sub.
Second Referral

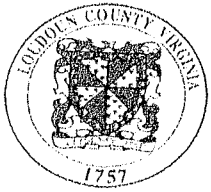
This referral will present an update on the status of the three issues identified in the OTS referral of May 3, 2005 on this application.

1. The private road intended to serve this application will serve the five new residential lots plus three existing houses. Our reading of Category C Private Roads in the FSM indicates a C3 Category Road with an 18-foot travel way is required. OTS will support the Department of Building and Development's decision on this matter.
2. The proposed entrance on Route 744 appears to meet standards. OTS will support VDOT's decision on this matter.
3. The applicant's provision of 25-feet of right-of-way on Route 744, Snake Hill Road, is appreciated.

Conclusion

There are no OTS transportation issues which would preclude approval of this application. This is the final OTS referral on this application.

cc: Chip Taylor, Highway Division Chief



Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000



Environmental Health
Phone: 703 / 777-0234
Fax: 703 / 771-5023

Community & Occupational Health
Phone: 703 / 777-0236
Fax: 703 / 771-5393

June 24, 2005

MEMORANDUM TO: Trish Baker
Building & Development

FROM: Jeffrey P. Widmeyer, REHS
Sr. Env. Health Specialist

SUBJECT: SBEX-2005-0002 Loudoun Habitat for Humanity
Banneker Sub. (second submission)
LCTM 72/22 PIN 621209056

The above referenced project meets the requirements of Section 1245.10 of the LSDO for:

	Yes	No	N/A
a. Proposed Drainfield Sites	___	___	<u>X</u>
b. Proposed Wells	X		

The locations on the submitted plats, submitted by Burgess & Niple, date 6/15/2005 is correct as shown:

a. Wells (existing)	___	___	X
b. Drainfield Sites	___	___	X

Health Department staff recommends: Approval X Denial

Approval with recommendations

Items that are incorrect/deficient are listed on the attached page. A revised plat with these requirements must be submitted to the Health Department at least seven (7) days prior to Approval for Health Department review.

Attachments Yes X No

If further information or clarification on the above project is required, please contact Jeff at 777-0642.

JPW/jw/atb A:subdiv.ref

SBEX-2005-0002/LCTM# #72/22

ATTACHMENT

- 1.) Proposed wells will have to be drilled and tested prior to preliminary plat submittal.



RECEIVED
APR 22 2005

COMMONWEALTH of VIRGINIA

BUILDING AND DEVELOPMENT

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

DENNIS C. MORRISON
DISTRICT ADMINISTRATOR

PHILIP A. SHUCET
COMMISSIONER

April 20, 2005

Ms. Trish Baker
County of Loudoun
Department of Building and Development
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Loudoun Habitat for Humanity – Bannekar Subdivision
Loudoun County Plan Number: SBEX 2005-0002

Dear Ms. Baker:

We have reviewed the above plan as requested and offer the following comments:

1. Is this a preliminary plat and will there be another detailed plan submittal? Since this application impacts the right-of-way engineering comments are provided here which should be addressed on this plat or on other construction documents/plans if anticipated in future.
2. The entrance (Std. CG-11) to the development should conform to *VDOT's Minimum Standards Of Entrances To State Highways*, latest edition. (Minimum width of a commercial entrance is 30'.)
3. Sight distance (horizontal and vertical) at the proposed entrance should be verified.
4. Who will be responsible for maintaining the culvert under the proposed entrance? Computation for this culvert should be provided in VDOT format to verify adequacy. A minimum 18" of freeboard is required between the road shoulder and the controlling headwater elevation.

If you have any questions, please call me at (703) 383-2424.

Sincerely,

Rashid Siraj, P.E.
Transportation Engineer

(Com.04-20-05)



880 Harrison Street, SE • P.O. Box 4000 • Leesburg, Virginia 20177-1403 • www.lcsa.org

April 13, 2005

APR 15 2005

Ms. Trish Baker
Department of Building & Development
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

Re: **SBEX-2005-0002, Loudoun Habitat for Humanity, Banneker Subdivision
Private Road**

Dear Ms. Baker:

The Sanitation Authority has reviewed the referenced Subdivision Exception application and offers no objection to approval of the proposed ingress-egress easement.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce L. Jones", is written over a horizontal line.

Joyce L. Jones
Engineering Administrative Specialist

ATTACHMENT 8

Dale C. Hammes, P.E.
General Manager/Treasurer

Richard C. Thoesen, P.E.
Deputy General Manager

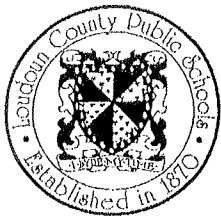
Administration 703-771-1095 • Metro 703-478-8016 • Fax 703-777-9223 • Customer Service 703-771-1092 • Metro 703-478-8677 • Fax 703-771-4141

COUNTY OF LOUDOUN
OFFICE OF MAPPING
MEMORANDUM

DATE: 5/2/2005
TO: TRISH BAKER, PLANNER
FROM: VICKI KEEGAN, ADDRESSING COORDINATOR
RE: SBEX 2005-0002: LOUDOUN HABITAT FOR HUMANITY BANNEKER SUBDIVISION

REFERRAL COMMENTS:

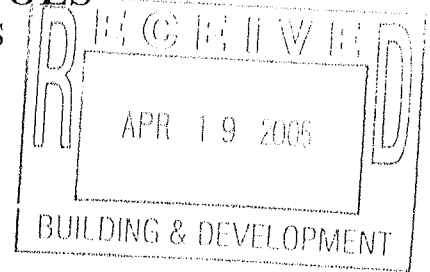
The existing outlet road is called Bernard Lane. Please label it.



LOUDOUN COUNTY PUBLIC SCHOOLS

PLANNING AND LEGISLATIVE SERVICES

102 North Street, N.W.
Leesburg, Virginia 20176
Telephone: 703-771-6436
Facsimile: 703-771-6409



April 14, 2005

Ms. Trish Baker
County of Loudoun
Department of Building and Development
1 Harrison Street, SE
Post Office Box 7000
Leesburg, Virginia 20177

RE: SBEX 2005-0002/Loudoun Habitat for Humanity, Banneker Subdivision

Dear Ms. Baker:

School Board staff has reviewed the subdivision exception for Loudoun Habitat for Humanity, Banneker Subdivision. With the exception of providing a project assessment chart on the project, staff offers no additional comment.

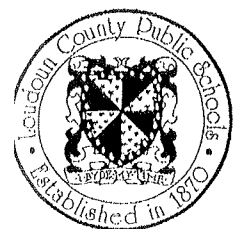
Should you require any additional information, please contact me at your earliest convenience.

Sincerely,

Sam Adamo, Director

Attachment

ATTACHMENT 10



Loudoun County Public Schools

Department of Planning and Legislative Services

Project Assessment

Project Name: SBEX 2005-0002/Loudoun Habitat for Humanity, Banneker Subdivision

002 Virginia-County of Loudoun School Census Student Generation Factors	Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
Central/Western Loudoun County					
Single Family Detached	5	2	1	1	4
Single Family Attached	0	0	0	0	0
Multifamily	0	0	0	0	0
Total	5	2	1	1	4

Capital Costs	Elementary School Cost (FY06 CIP \$)	Middle School Cost (FY06 CIP \$)	High School Cost (FY06 CIP \$)	Total Capital Expenditure
School Cost	\$19,930,000	\$39,675,000	\$74,760,000	
Capacity	875	1,350	1,800	
Per Pupil Cost	\$22,777	\$29,389	\$41,533	
Project's Capital Costs	\$45,554	\$29,389	\$41,533	\$116,476

Annual Operational Costs	FY 2005 Estimated Per Pupil Cost	Student Generation Total	Annual Operational Costs
	\$10,655	4	\$42,620

School Facility Information	Elementary School (Grades K-5)	Middle School (Grades 6-7)	Intermediate School (Grades 8-9)	High School (Grades 10-12)
2004-05 Attendance Zone	Banneker	Blue Ridge	Harmony	Loudoun Valley
September 30, 2004 Student Enrollment	158	970	989	1325
2004-05 Program Capacity	261	1121	1140	1539